

Appl. No. 09/884,652
Amendment Dated Jan. 23, 2004
Reply to Office Action of Sep. 23, 2003

REMARKS/ARGUMENT

I. Status of the Claims

Claims 1-24 are pending.

Claims 1-24 stand rejected.

II. Claim Amendments and New Claims

Claims 1, 15, 18 and 24 have been amended to more particularly point out what the Applicants' consider to be their invention. New claims 25-29 have been added. Claims 1, 15, 18 and 24-29 are fully supported by the specification. Support for the amendments and new claims are found on pages 6 and 10-11, which teach the Applicants' claimed material.

III. Claim Rejections Under 35 USC 103

Claims 1-7 are rejected as being unpatentable over Cardorniga et al. (USPN 5,415,937) in view of Shaw et al. (USPN 4,142,727). Cardorniga et al. discloses a blend of polymers having a "shore hardness of 70 or greater." (see abstract)

The rejection is moot in light of the Applicants amendment adding the diameter limitation to the core. The Cardorniga et al. '937 patent is silent regarding the

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properties of the core. The Shaw '727 patent is also silent regarding the properties of the core. Absent any disclosure with respect to the core properties, the combination of the '937 and '727 patents fails to teach each and every limitation of amended claims 1-7. Applicants respectfully request reconsideration and allowance of claims 1-7.

Claims 8-10, 13-15, 18-20 and 24 are rejected as being unpatentable over Cardorniga et al. (USPN 5,415,937) in view of Shaw et al. (USPN 4,142,727) further in view of Shaw (USPN 4,877,252) and Oka et al. (USPN 5,072,945). The rejection is moot in light of the amendments to claims 1, 15, 18, and 24.

The Cardorniga et al. '937 patent is silent regarding the diameter, weight and compression of the core. Furthermore, the Shaw '727 patent is also silent regarding the above-mentioned core properties. The Shaw '252 patent is also silent regarding the properties of the core. The Oka et al. '945 patent similarly is silent regarding the properties of the core.

Therefore amended claims 8-10, 13-15, 18-20 and 24 are allowable over the combination of the Cardorniga '937 patent, the Shaw '727 patent, the Shaw '252 patent and the Oka '945 patent, all of which fails to teach or suggest the

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Applicants' ball with the claimed core properties. In light of the amendment Applicants' respectfully requests reconsideration and removal of the obviousness rejection of claims 8-10, 13-15, 18-20 and 24.

Claims 11, 16-17, and 21-23 are rejected as being unpatentable over Cardorniga et al. (USPN 5,415,937) in view of Shaw et al. (USPN 4,142,727) in view of Shaw (USPN 4,877,252) and Oka et al. (USPN 5,072,945) further in view of Cardorniga (USPN 5,470,076). In light of amendments to claims 1, 15, 18 and 24 claiming additional core properties the combination fails to teach the Applicants' claimed invention. The Cardorniga '076 patent is silent regarding the properties of the core of the ball. The cited combination of patents fails to teach each and every feature of the Applicants' claimed invention. The Applicants' respectfully request reconsideration of claims 11, 16-17 and 21-23 as the combination fails to teach the Applicants' claimed core properties.

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IV Conclusion

Based on the foregoing, it is respectfully requested that all rejections be withdrawn and the application be passed to issue.

Respectfully submitted,

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The undersigned hereby certifies that this paper along with any paper or document referred to therein as being attached or enclosed, is being transmitted via facsimile to (703) 872-9306 to the Commissioner for Patents, Mail Stop Non-Fee Amendment, P.O. Box 1450, Alexandria, VA 22313-1450- This 23rd day of JANUARY 2004.


Jeffrey D. Washville